



# House of Representatives

General Assembly

**File No. 57**

February Session, 2006

Substitute House Bill No. 5127

*House of Representatives, March 21, 2006*

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING THE REGULATION OF BOXING AND WRESTLING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-195a of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) There is established the Connecticut [Boxing Promotion] Athletic  
4 Commission which shall be within the Department of [Consumer  
5 Protection for administrative purposes only] Public Safety. The  
6 commission shall consist of nine members, three to be appointed by  
7 the Governor, one to be appointed by the speaker of the House of  
8 Representatives, one to be appointed by the president pro tempore of  
9 the Senate, one to be appointed by the majority leader of the House of  
10 Representatives, one to be appointed by the majority leader of the  
11 Senate, one to be appointed by the minority leader of the House of  
12 Representatives and one to be appointed by the minority leader of the  
13 Senate. The initial appointments to the commission shall be made not

14 later than November 1, 1998. Notwithstanding the provisions of  
15 subsection (c) of section 4-9a, as amended, the terms of each member of  
16 the commission shall be coterminous with the term of the appointing  
17 authority or until a successor is chosen, whichever is later. The  
18 appointing authority shall fill any vacancy for the unexpired portion of  
19 the term. Members of the commission shall receive no compensation  
20 for their services. The commission shall hold at least one meeting each  
21 quarter.

22 (b) The commission shall make recommendations to the Governor,  
23 the Commissioner of [Consumer Protection, the Commissioner of  
24 Economic and Community Development] Public Safety and the  
25 General Assembly, upon the request thereof or at such time or times as  
26 the commission may determine, to encourage, develop and promote  
27 the [sport] sports of boxing and wrestling in this state. Such  
28 recommendations shall include, but not be limited to: (1) Identifying  
29 any legal or administrative impediments to the development of the  
30 [sport] sports of boxing and wrestling in this state; (2) identifying ways  
31 to improve state and local services designed to support and promote  
32 boxing and wrestling; (3) identifying ways of developing young boxers  
33 and wrestlers through amateur boxing and wrestling clubs and other  
34 programs; [and] (4) developing strategies to assist promoters of small-  
35 scale professional boxing and wrestling events and to aid in the  
36 development of a market for large-scale professional boxing and  
37 wrestling events in this state; and (5) developing ways to protect the  
38 health and safety of participants in boxing and wrestling.

39 Sec. 2. Section 21a-196 of the general statutes is repealed and the  
40 following is substituted in lieu thereof (*Effective October 1, 2006*):

41 (a) As used in this chapter, "commissioner" means the  
42 Commissioner of [Consumer Protection] Public Safety and "wrestling"  
43 does not include the following styles of wrestling: Scholastic and  
44 collegiate, folk style, Olympic or International, practicing free-style or  
45 Greco-Roman.

46 (b) The commissioner shall have sole control of and jurisdiction over

47 all amateur and professional boxing and sparring matches and  
48 wrestling exhibitions held, conducted or given within the state by any  
49 person or persons, club, corporation or association, except amateur  
50 boxing and sparring matches [or wrestling exhibitions] held under the  
51 supervision of any school, college or university having an academic  
52 course of study or of the recognized athletic association connected  
53 with such school, college or university or amateur boxing and sparring  
54 matches and wrestling exhibitions held under the auspices of any  
55 amateur athletic association or other organization or association that  
56 has been determined by the commissioner to be capable of ensuring  
57 the health and safety of the participants; provided the commissioner  
58 may at any time assume jurisdiction over any amateur boxing match  
59 or wrestling exhibition if the commissioner determines that the health  
60 and safety of the participants is not being sufficiently safeguarded. The  
61 commissioner may appoint inspectors who shall, on the order of the  
62 commissioner, represent the commissioner at all boxing matches and  
63 wrestling exhibitions. The commissioner may appoint a secretary who  
64 shall prepare for service such notices and papers as may be required  
65 and perform such other duties as the commissioner directs.

66 (c) The commissioner or the commissioner's authorized  
67 representative may: (1) Issue subpoenas to any person involved in any  
68 matter under investigation pursuant to this chapter; (2) subpoena  
69 documentary material relating to any such matter; (3) administer an  
70 oath or affirmation to any person; or (4) conduct hearings in aid of any  
71 such investigation, provided none of the powers conferred by this  
72 chapter shall be used for the purpose of compelling any natural person  
73 to furnish testimony or evidence which might tend to incriminate the  
74 person or subject the person to a penalty or forfeiture. If any person  
75 fails or refuses to obey any such subpoena, the commissioner, after  
76 giving notice, may apply to the superior court for the judicial district of  
77 Hartford which court, after a hearing, may issue an order requiring  
78 such person to obey such subpoena or any part of such subpoena. Any  
79 disobedience of a final order of any court under this section shall be  
80 punished as contempt.

81 (d) The commissioner, in consultation with the Connecticut Athletic  
82 Commission, shall adopt such regulations in accordance with chapter  
83 54 as the commissioner deems necessary and desirable for the conduct,  
84 supervision and safety of boxing and wrestling matches, including the  
85 licensing of the sponsors and the participants of such [boxing]  
86 matches, and for the development and promotion of the [sport] sports  
87 of boxing and wrestling in this state, including, but not limited to,  
88 regulations to improve the competitiveness of the [sport] sports of  
89 boxing and wrestling in this state relative to other states and  
90 regulations to protect the health and safety of participants. Such  
91 regulations shall require fees for the issuance of licenses to such  
92 sponsors and participants as follows: (1) For referees, a fee of not less  
93 than sixty-three dollars; (2) for matchmakers and assistant  
94 matchmakers, a fee of not less than sixty-three dollars; (3) for  
95 timekeepers, a fee of not less than thirteen dollars; (4) for professional  
96 boxers and wrestlers, a fee of not less than thirteen dollars; (5) for  
97 amateur boxers and wrestlers, a fee of not less than three dollars; (6)  
98 for managers, a fee of not less than sixty-three dollars; (7) for trainers, a  
99 fee of not less than thirteen dollars; (8) for seconds, a fee of not less  
100 than thirteen dollars; (9) for announcers, a fee of not less than thirteen  
101 dollars; and (10) for promoters, a fee of not less than two hundred fifty  
102 dollars.

103 (e) No organization, gymnasium or independent club shall host a  
104 sparring match unless such organization, gymnasium or independent  
105 club registers with the Department of Public Safety in accordance with  
106 this subsection. The commissioner shall register any organization,  
107 gymnasium or independent club that the commissioner deems  
108 qualified to host such matches. Application for such registration shall  
109 be made on forms provided by the department and accompanied by a  
110 fee of fifty dollars. For the purpose of enforcing the provisions of this  
111 chapter, the commissioner or an authorized representative may inspect  
112 the facility of any such organization, gymnasium or independent club.  
113 The Attorney General, at the request of the Commissioner of Public  
114 Safety, may apply in the name of the state of Connecticut to the  
115 Superior Court for an order temporarily or permanently restraining

116 any organization, gymnasium or independent club from operating in  
117 violation of any provision of this chapter or the regulations adopted  
118 pursuant to this subsection. The commissioner, in consultation with  
119 the Connecticut Athletic Commission shall adopt such regulations, in  
120 accordance with chapter 54, as the commissioner deems necessary for  
121 the conduct, supervision and safety of sparring matches.

122 [(e)] (f) The state, acting by and in the discretion of the  
123 commissioner, may enter into a contract with any person for the  
124 services of such person acting as an inspector appointed in accordance  
125 with the provisions of this section.

126 [(f)] (g) The commissioner may disallow the conduct of any  
127 professional wrestling exhibition if the commissioner determines that  
128 the health and safety of the participants is not being sufficiently  
129 safeguarded.

130 Sec. 3. Section 21a-198 of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective October 1, 2006*):

132 (a) The commissioner may, in the commissioner's discretion, issue a  
133 license to conduct, hold or give any boxing or wrestling match to any  
134 person, persons, club, corporation or association. Before any such  
135 license is granted, the applicant shall execute and file with the  
136 commissioner a bond in such amount and form and with such surety  
137 as is determined by the commissioner, which bond shall be  
138 conditioned for the payment of the tax imposed by section 21a-199.  
139 Upon the filing and approval of such bond, the commissioner shall  
140 issue to such applicant a certificate of such filing and approval. No  
141 license shall be issued under this section until such bond is filed.

142 (b) The commissioner may, in the commissioner's discretion, revoke  
143 any license to conduct, hold or give any boxing or wrestling match  
144 issued under this section for cause as provided in this chapter or in any  
145 regulation adopted under this chapter in accordance with chapter 54.

146 Sec. 4. Section 21a-203a of the general statutes is repealed and the

147 following is substituted in lieu thereof (*Effective October 1, 2006*):

148 The commissioner shall select the referees for any boxing match or  
149 wrestling exhibition conducted, held or given within this state, except  
150 amateur boxing exhibitions held under the supervision of any school,  
151 college or university having an academic course of study or of the  
152 recognized athletic association connected with such school, college or  
153 university or amateur boxing or wrestling exhibitions held under the  
154 auspices of any amateur athletic association that has been determined  
155 by the commissioner to be capable of ensuring the health and safety of  
156 the participants. All such referees shall be licensed by the  
157 commissioner under this chapter and the regulations adopted by the  
158 commissioner under this chapter, in accordance with chapter 54.

159 Sec. 5. Section 21a-205 of the general statutes is repealed and the  
160 following is substituted in lieu thereof (*Effective October 1, 2006*):

161 (a) No person shall engage in any boxing or wrestling match as a  
162 boxer or wrestler until such person has been examined and found to be  
163 physically fit by a competent physician approved by the  
164 commissioner, licensed to practice under the laws of this state and in  
165 practice in this state for at least two years. Such physician shall be  
166 appointed by the commissioner and shall be in attendance throughout  
167 the boxing or wrestling match for which such examination was made.  
168 Such physician shall certify, in writing, that the contestant is physically  
169 fit to engage in such [boxing] match. Any fee for such physician, as  
170 determined by the commissioner, shall be paid by the person or club,  
171 corporation or association conducting such [boxing] match.

172 (b) The cost of any physical examination required by this chapter or  
173 regulations adopted under this chapter, other than an examination  
174 required by subsection (a) of this section, may be assessed by the  
175 commissioner on any boxer or wrestler examined by a physician  
176 appointed by the commissioner or on the person, club, corporation or  
177 association conducting the next [boxing] match in which the contestant  
178 is scheduled to compete.

179       Sec. 6. Subdivision (14) of section 21a-6 of the general statutes is  
180 repealed. (*Effective October 1, 2006*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	21a-195a
Sec. 2	<i>October 1, 2006</i>	21a-196
Sec. 3	<i>October 1, 2006</i>	21a-198
Sec. 4	<i>October 1, 2006</i>	21a-203a
Sec. 5	<i>October 1, 2006</i>	21a-205
Sec. 6	<i>October 1, 2006</i>	Repealer section

**PS**       *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Consumer Protection, Dept.	GF - Savings	Minimal	Minimal
Public Safety, Dept.	GF - Cost	Potential	Potential
Public Safety, Dept.	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

#### **Municipal Impact:** None

#### **Explanation**

The bill transfers the regulatory authority of boxing and wrestling from the Department of Consumer Protection (DCP) to the Department of Public Safety (DPS). The bill adds sparring to the list of sports subject to regulation, and makes several other technical changes.

Currently, the Boxing Promotion Commission is located in the DCP and the department has expended only minimal costs for purposes of the regulation of boxing. The elimination of DCP's Boxing Promotion Commission would result in a minimal savings to DCP.

The transfer of regulatory authority could result in an additional cost to DPS. The responsibilities for regulating boxing, wrestling, and sparring have been expanded, and the additional responsibilities could result in the need for one additional staff member within DPS.

Additionally, the bill requires organizations, gymnasiums, and independent clubs hosting sparring matches to register with DPS, and to pay a fee of \$50. It is unknown how many organizations will register, but it is anticipated that the increase in revenue will be minimal.



***The Out Years***

The savings as a result of the elimination of the Boxing Promotion Commission in DCP would continue throughout the out years, as would the potential cost to DPS. Future revenues generated from application fees are not subject to inflation since the fee amounts are fixed by statute. Absent any sustained trend in the number of applications issued or other statutory changes, the annualized revenues indicated in FY 08 above are projected to remain stable into the future.

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**OLR Bill Analysis**  
**sHB 5127**

***AN ACT CONCERNING THE REGULATION OF BOXING AND WRESTLING.***

**SUMMARY:**

This bill transfers regulatory authority for boxing and wrestling from the Department of Consumer Protection (DCP) commissioner to the Department of Public Safety (DPS) commissioner. It adds sparring to the sports subject to DPS regulation and gives the DPS commissioner sole jurisdiction over sparring matches. It eliminates DCP's Boxing Promotion Commission, which is charged with making recommendations to promote boxing development in Connecticut, and creates an Athletic Commission in DPS to make recommendations for both boxing and wrestling. The members and appointment procedures are the same as they were for the Boxing Commission.

The bill expands the regulatory standards for wrestling, generally subjecting wrestling to the same standards as boxing. It requires wrestlers to be licensed by DPS, which must set the fees in regulation at a minimum \$13 for professionals and \$3 for amateurs. It also requires the commissioner to license wrestling referees and allows him to license wrestling promoters. Existing law requires that the fee for referees be at least \$63 and the fee for promoters be at least \$200. The bill specifically exempts scholastic and collegiate, folk style, Olympic or International, practicing free-style, and Greco-Roman wrestling from the commissioner's regulatory authority.

The bill requires organizations, gymnasiums, or independent clubs hosting sparring matches to register with DPS and pay a \$50 fee.

EFFECTIVE DATE: October 1, 2006

**BOXING COMMISSION REPLACED**

Under current law, the Boxing Promotion Commission is in DCP for administrative purposes only. It must recommend ways to encourage, develop, and promote boxing to the governor, the legislature, the DCP commissioner, and the economic and community development commissioner. At a minimum, the recommendations must identify (1) legal or administrative impediments to boxing development, (2) ways to improve state and local boxing support and promotion services, (3) ways to develop young boxers through amateur clubs and other programs, and (4) strategies to help promoters of small professional boxing events and create a market for large professional events.

The bill replaces the Boxing Commission with the Athletic Commission in DPS, requires the Athletic Commission to make the above recommendations for both boxing and wrestling along with recommendations to develop ways to protect the health and safety of boxers and wrestlers, and transfers to the DPS commissioner all the DCP's commissioner's functions with regard to boxing and wrestling.

**REGULATIONS**

Under current law, the DCP commissioner must adopt boxing regulations necessary for the conduct, supervision, and safety of boxing. The bill requires the DPS commissioner to adopt the regulations in consultation with the Athletic Commission. In addition to the issues the regulations must address under current law, the bill requires them to address ways to protect the health and safety of boxers and wrestlers. They must also set license fees for wrestlers.

**WRESTLING*****Definition***

The law does not define wrestling, but the dictionary defines it as "the sport consisting between two unarmed contestants who seek to throw each other." The bill excludes from the definition of wrestling scholastic and collegiate, folk style, Olympic or International, practicing free-style, or Greco-Roman.

***License for Wrestlers***

The bill requires wrestlers to be licensed by the commissioner, who must set the fees in regulations at a minimum \$13 for professionals and a minimum \$3 for amateurs, the same as currently set for boxers.

***License for Wrestling Referees***

The bill requires wrestling referees to be licensed by the commissioner. The license fee is a minimum of \$63. The bill requires the commissioner to select wrestling referees licensed by him for professional wrestling matches held in the state.

***Wrestling Promoters***

The bill allows the commissioner to license anyone who holds, promotes, or conducts wrestling bouts. Each license applicant must file a surety bond before the commissioner can issue the license. The fee is a minimum \$250. The bill allows the commissioner to revoke the license for cause.

***Medical Evaluation***

The bill prohibits people from engaging in wrestling unless a Connecticut-licensed doctor practicing in the state for at least two years and approved by the commissioner declares them fit. The doctor must be appointed by the commissioner and in attendance throughout the wrestling match. He must certify in writing that the contestant is physically fit to engage in the match. The commissioner determines the physician's fee; the person or organization conducting the match pays it.

The commissioner may assess the cost of any other examination required by law or regulations on any wrestler examined by a doctor he appoints or on the person, club, corporation, or association conducting the next match in which the wrestler is scheduled to compete.

**SCOPE OF AUTHORITY**

Current law gives the DCP commissioner sole control over boxing

matches and wrestling exhibitions, unless specifically exempt. The exemptions apply to amateur school-based matches as well as matches held under the auspices of any amateur athletic association that the commissioner determines capable of ensuring the health and safety of participants. The bill gives the DPS commissioner sole control over sparring matches as well. It also broadens the possible exemptions from his regulatory control by allowing him to exempt organizations and associations that he determines capable of protecting the health and safety of participants.

## **SPARRING**

The bill prohibits organizations, gymnasiums, or independent clubs from hosting sparring matches, unless they register with DPS. The commissioner must register ones he deems qualified to host matches. The registration fee is \$50, and the applicant must include it with the application. The commissioner or a designee may inspect the applicant's facility to enforce the law.

## **VIOLATIONS**

The attorney general, at DPS request, may apply to the Superior Court for an order temporarily or permanently restraining any entity from operating in violation of the boxing, sparring, or wrestling provisions or the law or regulations pertaining specifically to entities hosting sparring matches. The commissioner, in consultation with the Athletic Commission, must adopt necessary regulations for the conduct, supervision, and safety of sparring matches.

## **BACKGROUND**

### ***Boxing Commission***

The commission's nine members are appointed by the governor (three members) and the House speaker, Senate president pro tempore, and majority and minority leaders of both chambers (one member each). Members are not compensated.

## **COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea     20     Nay   0     (03/07/2006)